

**BUSINESS REPORT**

**MONTANA SENATE  
62nd LEGISLATURE - REGULAR SESSION**

**SENATE JUDICIARY COMMITTEE**

**Date:** Tuesday, April 19, 2011  
**Place:** Capitol

**Time:** 9:00 AM  
**Room:** 303

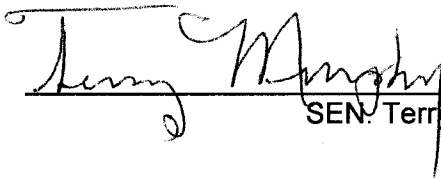
**BILLS and RESOLUTIONS HEARD:**

SR 32 - Confirm Commissioner of Political Practices appointee

**EXECUTIVE ACTION TAKEN:**

HB 14-Tabled  
HB 490-Tabled  
HB 631-Tabled  
HB 627-Be Concurred In As Amended

**Comments:**

  
SEN. Terry Murphy, Chair

# MONTANA STATE SENATE

## ROLL CALL

### 2011 JUDICIARY COMMITTEE

DATE: 4/19/11

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
CHAIRMAN, TERRY MURPHY	/	
VICE CHAIRMAN, JIM SHOCKLEY	/	
SENATOR JEFF ESSMANN	/	
SENATOR SHANNON AUGARE		/
SENATOR ANDERS BLEWETT	/	
SENATOR GREG HINKLE	/	
SENATOR ROWLIE HUTTON	/	
SENATOR LARRY JENT	/	
SENATOR CLIFF LARSEN	/	
SENATOR LYNDIA MOSS	/	
SENATOR JIM PETERSON	/	
SENATOR CHAS VINCENT		/

## BILL TABLED NOTICE

### SENATE JUDICIARY COMMITTEE

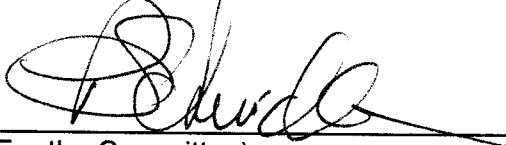
The **SENATE JUDICIARY COMMITTEE** TABLED

**HB 14 - Eliminate 5-year look back in misdemeanor DUI/BAC cases**

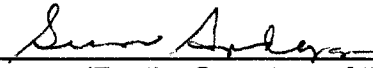
**HB 490 - Constitutional amendment to define person**

**HB 631 - Generally revise motor vehicle laws on ignition interlock requirements**

, by motion, on **Tuesday, April 19, 2011.**



(For the Committee)



(For the Secretary of the Senate)

10:30 14/19/11

(Time)

(Date)

April 19, 2011

Pam Schindler, Secretary

Phone: 444-4891  
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## SENATE STANDING COMMITTEE REPORT

April 19, 2011

Page 1 of 2

Mr. President:

We, your committee on **Judiciary** recommend that **House Bill 627** (third reading copy -- blue) be concurred in as amended.

Signed:   
Senator Terry Murphy, Chair

To be carried by Senator Jim Shockley

**And, that such amendments read:**

1. Title, line 5.

**Strike:** "OR INCOMPETENT PERSON"

2. Page 2, line 13 through line 14.

**Strike:** subsection (4) in its entirety

**Renumber:** subsequent subsections

3. Page 2, line 19.

**Strike:** "18"

**Insert:** "16"

4. Page 2, line 26.

**Following:** "minor"

**Strike:** "or an incompetent person"

5. Page 2, line 27.

**Following:** "minor"

**Strike:** "or incompetent person"

6. Page 3, line 22.

**Following:** "minors"

**Strike:** "and incompetent persons"

7. Page 3, line 24.

**Committee Vote:**

**Yes 7, No 5**

Fiscal Note Required ☐

HB0627001SC00415.sdr

DR

**Following:** "minor"

**Strike:** "or incompetent person"

8. Page 8, line 12.

**Following:** line 11

**Insert:** "COORDINATION SECTION. **Section 14. Coordination**

**instruction.** If both Senate Bill No. 97 and [this act] are passed and approved, then [this act] is void."

**Renumber:** subsequent sections

9. Page 8, line 19.

**Following:** "minor"

**Strike:** "or incompetent person"

10. Page 8, line 21.

**Following:** "minor"

**Strike:** "or incompetent person"

- END -

# MONTANA STATE SENATE

## ROLL CALL VOTE

### 2011 JUDICIARY COMMITTEE

DATE 4/19/11 BILL NO H8627 MOTION NO. 2

MOTION: \_\_\_\_\_

*Be Concurred by (Shockley)  
As Amended*

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR GREG HINKLE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
SENATOR LYNDA MOSS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
SENATOR CHAS VINCENT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SENATOR LARRY JENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
SENATOR ANDERS BLEWETT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
SENATOR SHANNON AUGARE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
SENATOR CLIFF LARSEN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
SENATOR ROWLIE HUTTON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
SENATOR JIM PETERSON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
VICE CHAIRMAN SHOCKLEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
SENATOR JEFF ESSMANN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
CHAIRMAN MURPHY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

*7/5*

# MONTANA STATE SENATE

## ROLL CALL VOTE

### 2011 JUDICIARY COMMITTEE

DATE 4/19/11 BILL NO 48631 MOTION NO. 1

MOTION: Table

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR GREG HINKLE	<u>—</u>		
SENATOR LYNDIA MOSS	<u>—</u>		
SENATOR CHAS VINCENT	<u>—</u>		<u>—</u>
SENATOR LARRY JENT	<u>—</u>		
SENATOR ANDERS BLEWETT	<u>—</u>		
SENATOR SHANNON AUGARE	<u>—</u>		<u>—</u>
SENATOR CLIFF LARSEN	<u>—</u>		
SENATOR ROWLIE HUTTON	<u>—</u>		
SENATOR JIM PETERSON	<u>—</u>		<u>—</u>
VICE CHAIRMAN SHOCKLEY		<u>—</u>	
SENATOR JEFF ESSMANN	<u>—</u>		<u>—</u>
CHAIRMAN MURPHY	<u>—</u>		

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# MONTANA STATE SENATE

## ROLL CALL VOTE

### 2011 JUDICIARY COMMITTEE

DATE 4/19/11 BILL NO HB 14 MOTION NO. 2

MOTION: Table

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR GREG HINKLE	—		
SENATOR LYNDIA MOSS	—		
SENATOR CHAS VINCENT	—		—
SENATOR LARRY JENT	—		
SENATOR ANDERS BLEWETT		—	
SENATOR SHANNON AUGARE	—		—
SENATOR CLIFF LARSEN	..	—	
SENATOR ROWLIE HUTTON	—		
SENATOR JIM PETERSON	—		—
VICE CHAIRMAN SHOCKLEY		—	
SENATOR JEFF ESSMANN	—		—
CHAIRMAN MURPHY	—		

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# MONTANA STATE SENATE

## ROLL CALL VOTE

### 2011 JUDICIARY COMMITTEE

DATE 4/18/11 BILL NO HB 490 MOTION NO. 1

MOTION: Table

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR GREG HINKLE		<u>—</u>	
SENATOR LYNDIA MOSS	<u>—</u>		
SENATOR CHAS VINCENT		<u>—</u>	<u>—</u>
SENATOR LARRY JENT	<u>—</u>		
SENATOR ANDERS BLEWETT	<u>—</u>		
SENATOR SHANNON AUGARE	<u>—</u>		<u>—</u>
SENATOR CLIFF LARSEN	<u>—</u>		
SENATOR ROWLIE HUTTON		<u>—</u>	
SENATOR JIM PETERSON	<u>—</u>		<u>—</u>
VICE CHAIRMAN SHOCKLEY	<u>—</u>		
SENATOR JEFF ESSMANN	<u>—</u>		<u>—</u>
CHAIRMAN MURPHY		<u>—</u>	

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# MONTANA STATE SENATE

## ROLL CALL VOTE

### 2011 JUDICIARY COMMITTEE

DATE 4/19/11 BILL NO. HB 627 MOTION NO. 1

MOTION: Remove from Table

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR GREG HINKLE	<u>—</u>		
SENATOR LYNDA MOSS		<u>—</u>	
SENATOR CHAS VINCENT	<u>—</u>		<u>—</u>
SENATOR LARRY JENT		<u>—</u>	
SENATOR ANDERS BLEWETT		<u>—</u>	
SENATOR SHANNON AUGARE		<u>—</u>	<u>—</u>
SENATOR CLIFF LARSEN		<u>—</u>	
SENATOR ROWLIE HUTTON	<u>—</u>		
SENATOR JIM PETERSON	<u>—</u>		<u>—</u>
VICE CHAIRMAN SHOCKLEY	<u>—</u>		
SENATOR JEFF ESSMANN	<u>—</u>		
CHAIRMAN MURPHY	<u>—</u>		

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**AUTHORIZED  
SENATE COMMITTEE PROXY**

I, Senator Jim Peterson, request to be excused from the

**Judiciary COMMITTEE**

due to my other commitment. I desire to leave my proxy vote with:

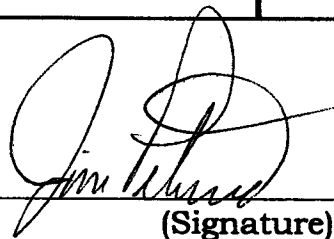
Vice Chair Terry Murphy

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO
4/19/11		
HB 14 Take	X	
HB 410 Take	X	
HB 631 Take	X	
HB 627 Income from		
Table	X	
HB 627 Reconcile		
Income	X	

BILL/AMENDMENT	AYE	NO

Sen. \_\_\_\_\_

  
(Signature)

Date \_\_\_\_\_

# AUTHORIZED SENATE COMMITTEE PROXY

I, Senator Chas Vincent, request to be excused from the

## Judiciary COMMITTEE

due to my other commitment. I desire to leave my proxy vote with:

Vice Chair Terry Murphy / Sen. Henkle

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO
4/11/11		
SR29 Dollars	x	
SR30 Bell Dental	x	
HB175 Take	x	
4/13/11		
HB14 Bo/On/Amend		x

BILL/AMENDMENT	AYE	NO
4/19/11		
HB14 Take	x	
HB410 Take		x
HB631 Take	x	
HB627 Remove		
From Take	x	
HB627 Balancing		
In/On Amend	x	

Sen. C. Vincent  
(Signature)

Date \_\_\_\_\_

# AUTHORIZED SENATE COMMITTEE PROXY

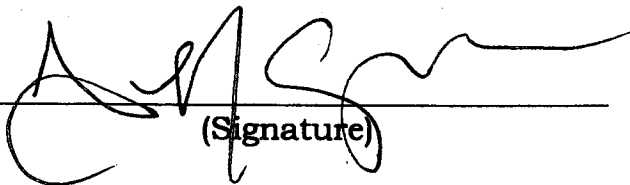
I, Senator Shannon Auguare, request to be excused from the  
**Judiciary COMMITTEE**  
due to my other commitment. I desire to leave my proxy vote with:

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT                      AYE      NO

4/19/11		
HB 14 Tabled	X	
HB 490 Tabled	X	
HB 631 Tabled	X	
HB 627 Remove from Table		X
HB 627 Release from Assessment		X

BILL/AMENDMENT                      AYE      NO


Sen.  (Signature)

Date \_\_\_\_\_

# AUTHORIZED SENATE COMMITTEE PROXY

I, Senator Jeff Essmann, request to be excused from the

## JUDICIARY COMMITTEE

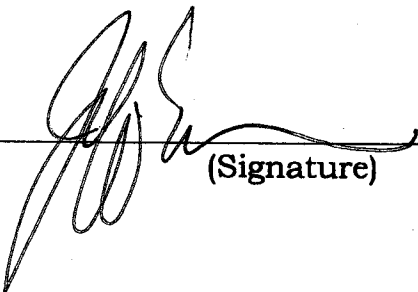
due to my other commitment. I desire to leave my proxy vote with:

*Sen. Hinkler*

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO
4/19/11		
HB14 Table	x	
HB490 Table	x	
HB631 Table	x	
HB627 Removal		
Table	x	
<del>HB627 Amendment</del>		
<del>Amendment</del>		

BILL/AMENDMENT	AYE	NO

Sen.  (Signature)

Date 4/19/2011

**SENATE JUDICIARY COMMITTEE**

**Sponsor: Senator Terry Murphy**

**PLEASE PRINT**

[illegible]

**Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.**